

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KIRT JOHN,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:24-cv-0781
	:	
PENNSYLVANIA DEPARTMENT OF HUMAN	:	
SERVICES; VALERIE A. ARKOOSH;	:	
NORTHAMPTON COUNTY CHILDREN	:	
YOUTH AND FAMILIES; and	:	
LIBERKA J. REYES-BANKS;	:	
Defendants.	:	

ORDER

AND NOW, this 26th day of June, 2024, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT:**

1. The Motions to Dismiss, ECF Nos. 20-21, are **GRANTED in part** as follows:
 - A. Counts I, II, III, and X are **dismissed without prejudice** as to all Defendants.
 - B. Counts IV, V, VI, VII, and VIII are **dismissed with prejudice**.
 - C. Count IX, to the extent it relies on federal law, is **dismissed with prejudice**. Count IX, to the extent it relies on state law, is **not dismissed at this time**.
2. The Motions to Deny the Motions to Dismiss, ECF Nos. 22-23, are **DENIED**.
3. **On or before July 26, 2024**, Plaintiff may file a second amended complaint in accordance with the Opinion issued this date. If Plaintiff fails to timely file a second amended complaint, all federal claims will be dismissed with prejudice and an order will be issued declining supplemental jurisdiction over Count IX to the extent it is based on state law.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge